



U.S. Department of Commerce
National Oceanic and Atmospheric Administration



Agency

U.S. Environmental Protection

Mr. Jim Rue, Director
Department of Land Conservation and Development
635 Capitol St. NE, Suite 150
Salem, Oregon 97301-2540

Mr. Dick Peterson, Director
Department of Environmental Quality
811 SW 6th Ave.
Portland, Oregon 97204-1390

Dear Directors Rue and Peterson:

The National Oceanic and Atmospheric Administration (NOAA) and the U.S. Environmental Protection Agency (EPA) reviewed Oregon's submittals of March 20, 2014, December 17, 2013 and September 20, 2013 pertaining to the remaining conditions of approval for Oregon's Coastal Nonpoint Pollution Control Program (CNPCP). Based on the information provided, NOAA and EPA have concluded that Oregon has satisfied the conditions for the New Development Management Measure and the Operating Onsite Disposal Systems Management Measure. Enclosed is an interim approval document for both of these conditions. The document presents a rationale for each interim approval decision.

Please note that NOAA and EPA's final decision on these conditions is contingent upon a public notice and opportunity to comment on our intent to fully approve Oregon's CNPCP. At the time when the federal agencies are in a position to propose full approval of Oregon's coastal nonpoint pollution control program, the public will be provided an opportunity to comment on the proposed decision, as well as the supporting rationales. Information the public provides during the comment period may cause NOAA and EPA to reassess an earlier "interim" decision or go back to the state for additional clarification. Additionally, the final decisions may be subject to Tribal and ESA consultation.

NOAA and EPA congratulate Oregon on its progress towards program approval and encourage the Oregon to complete the development of its CNPCP. If you have any questions regarding the enclosed interim findings or recommended actions, please contact either Allison Castellan of NOAA at (301) 563-1125, Don Waye of EPA Headquarters at (202) 566-1170 or Jayne Carlin of EPA Region 10 at (206) 553-8512.

Sincerely,

Joelle Gore, Acting Chief
Coastal Programs Division
National Oceanic and Atmospheric
Administration

Christine Psyk, Associate Director, Office of
Water and Watersheds
Region 10
U.S. Environmental Protection Agency

Enclosure: NOAA/EPA Interim Decisions for the Oregon Coastal Nonpoint Program, New Development and Operating Onsite Disposal Systems

cc: Ms. Patty Snow, Coastal Management Program Manager, ODLCD
Mr. Eugene Foster, Watershed Management Manager, ODEQ
Ms. Karen Tarnow, Senior Water Quality Policy Analyst, ODEQ
Ms. Lynda Hall, Nonpoint Source Control Branch Chief, EPA HQ



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Comment [CJ1]: As you may recall, we were unable to consider this information in making our proposed decision as it came after our July 2013 deadline.

Comment [WD2]: Yes. I agree we should reference these, too.

Please note that NOAA and EPA's final decision on these conditions is contingent upon a public notice and opportunity to comment on our intent to fully approve Oregon's CNPCP. At the time when the federal agencies are in a position to propose full approval of Oregon's coastal nonpoint pollution control program, the public will be provided an opportunity to comment on the proposed decision, as well as the supporting rationales. Information the public provides during the comment period may cause NOAA and EPA to reassess an earlier "interim" decision or go back to the state for additional clarification. Additionally, the final decisions may be subject to Tribal and ESA consultation.

NOAA and EPA congratulate Oregon on its progress towards program approval and encourage the Oregon State to complete the development of its CNPCP. If you have any questions regarding the enclosed interim findings or recommended actions, please contact either Allison Castellan of NOAA at (301) 563-1125, Don Wayne of EPA Headquarters at (202) 566-1170 or Jayne Carlin of EPA Region 10 at (206) 553-8512.

Comment [WD3]: It has been our protocol to include a NOAA staff contact and an EPA Region staff contact, but in this case, I have been the EPA staff lead for these MMs and am happy to have my contact info be used here: "Don Wayne of EPA Headquarters at (202) 566-1170".

Comment [CJ4]: I agree. Let's include all three names.

Sincerely,

Joelle Gore, Acting Chief
Coastal Programs Division
National Oceanic and Atmospheric
Administration

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